

REMARKS

I. Introduction

In view of the above amendments and the following remarks, reconsideration of the rejections and objections contained in the Office Action of December 9, 2008 is respectfully requested.

By this amendment claims 1-20 have been canceled without prejudice or disclaimer to the subject matter contained therein, and claims 21-40 has been added. Claims 21-40 are now pending in the application. No new matter has been added by these amendments.

The specification has been reviewed and revised. No new matter has been added by these revisions. Entry of the specification amendments is thus respectfully requested.

II. Drawings

On page 2 of the Office Action, the drawings are objected to for failing to show multiple pleated products sewn together so that the passing direction of the warp and weft are different and folded along a line angled relative to the warp and the weft. This feature is shown in Figures 15A-15F. Withdrawal of the objection is respectfully requested.

III. 35 U.S.C. § 112

On page 3 of the Office Action, Claims 1-16 are rejected as being indefinite regarding the limitations “easy to pleat” and “hard to pleat.” Claims 1-16 have been canceled; Applicant submits that claim 21 is sufficiently clear and definite.

In particular, claim 21 recites: “one of said warp and said weft being formed of polyester yarn constituting an easy-to-pleat yarn and the other of said warp and said weft being formed of a material constituting a hard-to-pleat yarn selected from a group consisting of rayon yarn, acrylic yarn, and natural fabric yarn.” Accordingly, one of ordinary skill would understand that the polyester yarn constitutes easy-to-pleat yarn and the rayon yarn, acrylic yarn, and natural fabric yarn constitutes hard-to-pleat yarns.

IV. Prior Art Rejections

Currently, claims 1-8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Corbiere (US 5,027,988) and claims 9-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Corbiere (US 5,027,988) in view of Kojima (US 4,623,770).

Claim 21 is patentable over Corbiere and Kojima, whether taken alone or in combination, for the following reasons. Claims 21 requires a method comprising, in part, providing a fabric comprising warp and weft, one of said warp and said weft being formed of polyester yarn constituting an easy-to-pleat yarn and the other of said warp and said weft being formed of a material constituting a hard-to-pleat yarn selected from a group consisting of rayon yarn, acrylic yarn, and natural fabric yarn.

As stated in the Office Action on page 5, Corbiere teaches yarns being made of polyester and thus clearly does not meet the above requirements of claim 21. The Office Action states, at lines 7-9 of page 5: “Kojima teaches a pleated fabric with a weft yarn made of polyester and a warp yarn made of cotton,” alleging that Kojima teaches a natural fabric yarn. In fact, Kojima teaches a weft yarn of 100% polyester and a warp yarn of 65% polyester and 35% cotton.

(Column 4, lines 5-6.) Kojima does not teach a 100% cotton warp yarn, or any other natural fabric yarn. Applicant submits that a yarn composed of 65% synthetic material does not constitute a “natural fabric yarn.” An important distinction is that claim 21 requires either a warp or a weft being formed of rayon *yarn*, acrylic *yarn*, or natural fabric *yarn*, and NOT merely a warp or weft comprising rayon fibers, acrylic fibers, or natural fibers. While Kojima teaches a warp comprising 35% cotton fibers, it does not teach natural fabric yarn. As such, it cannot meet the requirements of claim 21. It is thus submitted that the invention of the present application, as defined in claim 21, is not anticipated nor rendered obvious by the prior art, and yields significant advantages over the prior art. Allowance is respectfully requested.

Claim 34 also requires the above-discussed limitation: “one of said warp and said weft being formed of polyester yarn and the other of said warp and said weft being formed of a material selected from a group consisting of rayon *yarn*, acrylic *yarn*, and natural fabric *yarn*.” As such, it is patentable over Corbiere and Kojima for the same reasons discussed above.

Claims 22-33 depend, directly or indirectly, from claim 21 and are thus allowable for at least the reasons set forth above in support of claim 21. Claims 35-40 depend, directly or indirectly, from claim 34 and are thus allowable for at least the reasons set forth above in support of claim 34.

In view of the foregoing amendments and remarks, inasmuch as all of the outstanding issues have been addressed, Applicants respectfully submit that the present application is in complete condition for issuance of a formal Notice of Allowance, and action to such effect is earnestly solicited.

Should any issues remain after consideration of the within response, however, the Examiner is invited to telephone the undersigned at his convenience. If any fee beyond that submitted herewith, or extension of time is required to obtain entry of this Amendment, the undersigned hereby petitions the Commissioner to grant any necessary time extension and authorizes charging Deposit Account 23-0975 for any such fee not submitted herewith.

Respectfully submitted,

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